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| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 10/708,611  | 03/15/2004  | Michael P. Link      | SBC 0129 (A00662)   | 2610             |
| 27256   | 7590        | 03/24/2005           | EXAMINER            |                  |
| ARTZ & ARTZ, P.C.<br>28333 TELEGRAPH RD.<br>SUITE 250<br>SOUTHFIELD, MI 48034 |             |                      | BARNIE, REXFORD N   |                  |
|   |             |                      | ART UNIT            | PAPER NUMBER     |
|   |             |                      | 2643                |                  |

DATE MAILED: 03/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

|                              |                                      |                                    |  |
|------------------------------|--------------------------------------|------------------------------------|--|
| <b>Office Action Summary</b> | <b>Application No.</b><br>10/708,611 | <b>Applicant(s)</b><br>LINK ET AL. |  |
|                              | <b>Examiner</b><br>REXFORD N BARNIE  | <b>Art Unit</b><br>2643            |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on 15 March 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

*R. Barnie*  
**REXFORD BARNIE**  
**PRIMARY EXAMINER**

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 112***

Claim 4 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-3, 5-8 and 15-19 are rejected under 35 U.S.C. 102(e) as being anticipated by Bayne (US 2003/0198325 A1).

Regarding claim 1, Bayne teaches a method of providing collect call service in (see figs. 1, 2B, [0006-0009]) comprising:

receiving a request for a collect call from a calling party;

receiving a destination number;

placing a call to a receiving or destination party;

determining whether the called party is agreeable to accepting credit card billing for the collect call and connecting the calling party to the receiving party in response to the acceptance.

Regarding claim 2, According to Bayne, a caller can be calling from a custodial facility including an inmate facility in (see [0018] of page 2).

Regarding claim 3, see the explanation as set forth in claims 1-2. Bayne teaches the claimed limitation in (see fig. 2B @ 232, 234, 238).

Regarding claims 5-6, Bayne teaches billing a credit card account of a receiving party or one who answers the call.

Regarding claim 7, Bayne teaches connecting a calling and called party over a public network.

Regarding claim 8, see the explanation as set forth regarding claim 1.

Regarding claim 15, Bayne teaches a collect calling system comprising at least one communication site receiving a request for a collect call from a calling party and a selected number to call, at least one communication site placing a call to a receiving party in response to the selected number to call, determining whether the receiving party is agreeable to accepting credit card billing or any other billing options other than placing the charge on a telephone bill for the collect call and connecting the calling and called party.

Regarding claims 16-19, see the explanation as set forth regarding claim 15. Furthermore, the figs teach the claimed subject matter.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 4 and 9-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bayne (US 2003/0198325 A1).

Regarding claims 9-11, Bayne teaches that when a party receives a collect call, one can charge the call to a credit card account without restricting the receiving party to a specific party.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made that anyone who receives a call namely; collect call would be allowed to do so as long as the receiving party incurs the charges since it wouldn't make a difference from the perspective of a service provider concern with loss of revenue and also, urgent calls can be made by calling parties without having to incur a charge.

Regarding claim 4, Bayne teaches being able to record a message for a called party assigned to a called party in (see fig. 2B)

Claims 12-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bayne (US 2003/0198325 A1) in view of Winstead et al. (US Pat# 6,430,274).

Regarding claims 12-14, Bayne fails to teach the possibility of a called party setting up a screen to avoid or block collect calls.

Winstead teaches a validation query based on a supervisory signal wherein incoming calls such as collect call can be blocked if a parameter associated with a called party is set with a block code in (see col. 3 lines 1-13). Furthermore, according to in (see col. 7), a called party can have a collect call billed to an account including a credit card account.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Winstead into that of Bayne thus making it possible to block calls including collect calls or any nuisance calls for that matter as desired by a called party.

Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kapsales et al. (US Pat# 6,330,315) in view of Winstead et al. (US Pat# 6,430,274).

Regarding claim 20, Kapsales teaches an apparatus and method for routing blocked calls comprising receiving a call from a calling party to a called party and querying a platform to determine the status of the called party number, processing the status and generating a block signal and then determining whether the called party is agreeable to the charges in (see col. 5 line 1-24).

Kapsales, however, fails to teach that the charges can be charged to a credit card of the called party, even though, it can be charged to a plurality of accounts associated with the calling party.

Winstead teaches a validation query based on supervisory signal where a caller can make a collect call and then the destination or called party can be used in querying a platform to determine status of the called number and if it fails to pass a validation test for instance for credit reasons, then querying a user to input a credit card account number in order to complete the call in (see fig. 4, col. 6 line 57-col. 7).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Winstead into that of Kapsales thus making it possible to complete calls including emergency collect calls even when the called party number can be billed for the call by billing a credit card account and from the perspective of a service provider, avoiding loss of revenue caused by fraudulent usage.

### ***Conclusion***


Any inquiry concerning this communication or earlier communications from the examiner should be directed to **REXFORD N BARNIE** whose telephone number is (703)306-2744. The examiner can normally be reached on M-F 9:00-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, CURTIS KUNTZ can be reached on (703) 305-4708. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2643

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PRIMARY EXAMINER  
REXFORD BARNIE  
04/20/05

  
REXFORD BARNIE  
PRIMARY EXAMINER